

**REMARKS**

**Introduction**

This Amendment is in response to an Office Action dated November 26, 2003. Claims 1-38 were in the application. Claims 1-6, 8-15, 17-24, 26-34 and 36-38 were rejected under 35 U.S.C. §102, and claims 7, 16, 25 and 35 were rejected under 35 U.S.C. §103. Also, claim 6 was rejected under 35 U.S.C. §112, second paragraph.

By this Amendment, applicant has amended claims 1, 2, 6, 9, 20, 27 and 34. Applicant has also added new claims 39-41. Accordingly, claims 1-41 are presently in the application. Claims 1, 9, 20, 27 and 39 are independent.

**Rejection Under 35 U.S.C. § 112**  
**Second Paragraph**

In the Office Action, claim 6 was rejected under 35 U.S.C. §112, second paragraph. The Office Action contended that the limitation "said information stream" has insufficient antecedent basis.

By this Amendment, applicant has amended claim 6 to recite "said text information" instead of "said information stream." Accordingly because the recitation of "said text information" has antecedent basis from claim 1, applicant submits that the rejection to claim 6 under 35 U.S.C. §112, second paragraph has been obviated, and applicant respectfully requests the withdrawal of that rejection.

**Rejections Under 35 U.S.C. § 102(b)**

In the Office Action, claims 1-6, 8-15, 17-24, 26-34 and 36-38 were rejected under 35 U.S.C. §102(b) based on U.S. patent No. 6,061,056 to Menard et al.

Menard discloses a system for monitoring television broadcast signals. Menard describes a system that monitors closed caption text information normally transmitted with the television signals to alert a viewer or potential viewer of the likelihood that a television program is directed to pre-selected subject matter of interest to the viewer. When certain key words are detected within the closed caption text, the system generates an alarm condition, such as raising the volume, to alert a user to the presence of the key words in the closed caption text. In addition, the television signal and closed caption text signals can be stored and tagged for later retrieval from a database. *See* Menard, col. 2, lns. 28-37. The Menard system only alerts the viewer if a pre-selected word is found.

As described by Menard, "Video, audio, and closed captions from television broadcasts can be automatically indexed and stored so that they can be retrieved later in whole or in part, using ad hoc queries [from a user]." *See* Menard, col. 2, lns. 51-54. Thus, the system described by Menard is capable of "synchronizing and capturing the incoming closed captioned text together with the video and audio ... and indexing and retrieval of individual sections of video and audio based on the content of ... closed caption text." *See* Menard, col. 2, lns. 59-65.

With reference to FIG. 11 of Menard, Menard describes a previously archived recorded program in an AVI format (i.e., Windows® non-streaming media format) that can be

displayed in a non-streaming format at a video display or output as an AVI file. *See* Menard, col. 9, Ins. 1-12 and FIG. 11.

With reference to FIG. 12 of Menard, Menard also describes a previously archived video segment 71 playing in an active window 70 of visual display 28. Archived closed caption text 72 is displayed beside archived video segment 71. *See* Menard, col. 9, Ins. 13-20 and FIG. 12.

In sum, Menard describes a system wherein a television signal is serially received and split into video, audio and closed caption text components. Each of these components is time stamped, and moved into a delayed feed buffer. While in the buffer, the closed caption text is compared with a pre-selected user keyword. The keyword is used to identify the desired program, and then a portion of the program, bounded based on time, is displayed and or archived. The components to be archived have a length measured in time, and can have a beginning point starting at a time 30 seconds before the appearance of the keyword and can have an end point ending at a time five minutes after the appearance of the keyword. If the keyword is contained in the closed caption text, the time-based size selection of the program can be both archived and displayed on a video monitor. *See* Menard, col. 5, Ins. 7-19. Subsequent to archiving, a user may perform a keyword search on the archived closed caption text component, and a portion of that archived text component can be retrieved, in the same format that it was originally received, from the archive, along with its related archived audio and archived video components. Thus, the closed caption text of Menard is used to find pre-selected program subject matter.

Before turning to the specific rejections to the claims, applicant respectfully submits that applicant's invention is very different from that described by Menard. The system of the present invention is directed to a starkly different technical issue than is Menard. As recited in the specification of the present application, as published, at paragraph numbers [0021] and [0022], the present claimed invention is directed to efficiently providing closed caption text in a streaming media environment. Specifically:

For example, media players are currently not configured to display closed caption data over the Internet. In a live video broadcast, this type of data is generally delivered to a television screen a single letter at a time or in small groups of letters. This is because the text must first be transcribed by a human operator, which obviously limits the rate at which the transcription can take place. Thus, entire sentences must be delivered to the display a single letter at a time. This is acceptable for delivery of data to a television set, because each letter can continue to be displayed on the screen until the entire word or sentence in which it is to be included is delivered to the screen and displayed. Also, slow delivery of the text to the television screen allows the viewer to be able to keep up with the text as it scrolls across the display region.

However, currently available Internet and other audio-visual media players are configured differently. Media players continuously replace existing data with new data as it is received. Thus, the first word of a sentence would be replaced by the second word, which would be replaced by the third word, etc., allowing only single words of the sentence to be displayed at a time. In order to transmit an entire sentence or more to an audio-visual media player, the system would have to send the first word and then replace it with both the first and second words, which would then be replaced by the first three words, and so on. Thus, it would be impossible to display entire sentences without including a large amount of unwanted data in the data stream. Known methods are, therefore, typically not used to deliver closed caption text to an audio-visual media player with corresponding audio and video.

U.S Patent App. Pub. No. US 2002/0171760 A1 (published present application), paragraphs 21 and 22. With reference to FIG. 4 of the present application, applicant notes that generally, character-at-a-time or word-at-a time received closed caption data is extracted from a TV signal (step 204), the received closed caption data is buffered to storage in a storage device as it is received (step 206). Upon detection of a pre-selected release signal within the closed caption text (step 208), the content of the storage device is transmitted to an encoder, which forms a part of an information display system, to be displayed along with the other portions of the TV signal in a streaming format (step 214). Thus, in stark contrast to the system described by Menard, applicant's invention sends a block of text of predetermined size to the encoder for streaming to solve the aforementioned problem with streaming closed caption information. Thus, by way of applicant's invention, closed caption text that is received, for example, a character or word at a time, can be displayed in a streaming context, for example, a line at a time, along with the audio and/or video components. No such concept is described, taught, suggested or even hinted at by Menard.

Applicant now turns to the rejection of claim 27 of the present application. Claim 27, as amended, is directed to a method of simultaneously displaying multiple types of information in a streaming media format. The method comprises receiving multiple types of corresponding information, extracting at least one component of the received information, and collecting the extracted component in an information storage device. The extracted component comprises an information release signal. The method further comprises transferring a block of the extracted component from the information storage device to an information display system in

response to detection of the information release signal, with the information release signal delimiting an end of the block. The method further comprises delivering the block of the extracted component from the information storage device and at least one unextracted component of the received information to an information display so as to display the block of the extracted component along with the unextracted component, the extracted component thus being displayed as a block-sized segment.

Applicants respectfully submit that Menard does not teach or describe or suggest all of the features as recited by claim 27, as amended, of the present application. For example, Menard does not disclose transferring a block of the extracted component from the information storage device to an information display system in response to detection of the information release signal, with the information release signal delimiting an end of the block. With respect to the delayed-feed buffer of Menard, signals are automatically fed to the buffer, prior to any keyword or other character searching. In addition, with respect to archiving of the various signal components, even if, hypothetically, a keyword of Menard could be thought of as an information release signal, which concept is not taught or suggested by Menard, Menard does not use the information release signal to cause the contents of the text buffer to be sent to a display system. In stark contrast, Menard uses a time-based criterion for determining the end of the segment to be archived. Accordingly, because Menard does not describe transferring a block of the extracted component from the information storage device to an information display system in response to detection of the information release signal, with the information release signal delimiting an end

of the block of information, applicant respectfully submits that claim 27, as amended, of the present application is patentable over Menard.

Further, Claim 27 of the present application is patentable for the additional reason that Menard does not teach or describe or suggest the extracted component thus being displayed as streaming media. While, in the invention as recited by claim 27, the extracted component is displayed in block-sized segments after a block of the extracted component is transferred from the information storage device, Menard merely serially receives closed caption text, time stamps the text for storage and stores it. Only if a pre-selected keyword is found is the video displayed, and then not in a streaming format, but in a non-streaming format, in the same manner as it was originally received. Thus, the problem solved by the presently claimed invention, of having to aggregate words and/or characters for proper display in a streaming media format is neither raised, nor solved, by Menard. Accordingly, for these additional reasons, applicant respectfully submits that claim 27, as amended, of the present application is patentable over Menard.

Accordingly, applicant respectfully submits that Menard does not teach or describe or suggest all the features as recited by claim 27, as amended, of the present application. Thus, applicant respectfully requests withdrawal of the rejection to claim 27 under 35 U.S.C. §102(b) based on Menard.

Claims 28-38 all ultimately depend from claim 27. Accordingly, applicant submits that claims 28-38 are allowable over Menard, at least for depending from allowable claim 27, for the reasons described above with respect to the rejection to claim 27. Accordingly,

applicant respectfully requests that the rejections to claims 28-38 under 35 U.S.C. §102(b) based on Menard be withdrawn.

Claim 1, as amended, of the present application, is directed to an apparatus having some similar features to those recited in the method of claim 27, described above. Specifically, claim 1 is directed to an apparatus for simultaneously displaying text information with corresponding video information in a streaming media format. The apparatus comprises a buffer configured to communicate with a decoder and with an information display system, the buffer being capable of receiving at least a portion of the text information from the decoder, and the buffer being capable of transmitting a block of the received text information portion to the information display system in response to detection of an information release signal contained in the text information. Further, the information release signal delimits an end of the block.

Independent claims 9 and 20 recite similar features to those of claim 1. For example, claim 9 is directed to an apparatus for simultaneously displaying multiple components of a composite information stream. The apparatus comprises a storage device configured to communicate with an information extractor and with an information display system. The storage device is capable of receiving at least one component of the composite information stream from the information extractor, the storage device also being capable of transmitting a block of the at least one composite information stream component to the information display system in response to detection of an information release signal contained in the at least one composite information stream component, the information release signal delimiting an end of the block.



Similarly, claim 20 is directed to a system for simultaneously displaying multiple types of information on a video display in a streaming media format. The system comprises a buffer configured to communicate with an information source that is capable of providing multiple types of information and with an information display system, the buffer being capable of receiving at least one of the multiple types of information. The buffer also is capable of transmitting a block of the at least one of the multiple types of information to the information display system in response to detection of an information release signal contained in the at least one of the multiple types of information, the information release signal delimiting an end of the block. The system also comprises an information delivery system connected to the information source, to the buffer and to the information display device to receive at least two of the plurality of multiple types of information and to deliver at least two of the multiple types of information for simultaneous display on the information display device, the at least one of the multiple types of information thus being displayed as a block of the at least one of the multiple types of information.

Applicant respectfully submits that Menard does not disclose all of the features as claimed by independent claims 1, 9 and 20, as amended, of the present application. For example, as discussed above with respect to the rejection of claim 27, Menard does not describe a system wherein an information release signal delimits an end of the block. Nor does Menard describe the information being displayed in a streaming media format.

Accordingly, applicant respectfully submits that Menard does not teach or describe or suggest all the features as recited by independent claims 1, 9 and 20, as amended, of

the present application. Thus, applicant respectfully requests withdrawal of the rejections to those claims under 35 U.S.C. §102(b).

Claims 2-8, 10-19, and 21-26 all ultimately each depend from one of claims 1, 9 and 20. Accordingly, applicant submits that claims 2-8, 10-19, and 21-26 each are allowable over Menard, at least for depending from one of allowable claims 1, 9 and 20, for reasons discussed above with respect to claims 1, 9 and 20. Accordingly, applicant respectfully requests that the rejections to claims 2-8, 10-19, and 21-26 under 35 U.S.C. §102(b) be withdrawn.

Moreover, these claims are also patentable over Menard for additional reasons. For example, claims 3, 13, 21, 28 and 32 each generally recite the feature of transmitting or transferring the information storage content as a text script command. As discussed above, Menard does not describe, teach or suggest transmitting the video or text information in a streaming format. In addition, while Menard describes a video decoder, Menard does not describe, teach or suggest the use of a text script command. Therefore, because script commands, in the context of the present application, and as described in the present application as published at paragraph [0030], are used to embed information into a streaming media stream, and Menard does not describe, teach or suggest the use of a streaming format, it is respectfully submitted that it is technically incorrect for the Examiner to argue that the presence of a video decoder in a non-streaming environment such as Menard suggests the use of a text script command. In addition, because Menard does not describe or suggest a streaming format, Menard cannot be considered to provide motivation for use of a text script command as claimed by the present claims.

Accordingly, applicant submits that claims 3, 13, 21, 28 and 32 are also allowable over Menard for these additional reasons. Accordingly, applicant respectfully requests that the rejections to claims 3, 13, 21, 28 and 32 under 35 U.S.C. §102(b) be withdrawn for these additional reasons.

**Rejections Under 35 U.S.C. § 103(a)**

In the Office Action, claims 7, 16, 25 and 35 were rejected under 35 U.S.C. §103(a) based on Menard.

Applicant respectfully submits that Menard does not teach or describe or suggest the features recited by claims 7, 16, 25 and 35 (nor any other pending claim). Claims 7, 16, 25 and 35 all ultimately each depend from one of claims 1, 9 and 20. Accordingly, applicant submits that claims 7, 16, 25 and 35 each are allowable over Menard, at least for depending from one of allowable claims 1, 9 and 20, for reasons discussed above with respect to the rejections to claims 1, 9 and 20.

Moreover, dependent claims 7, 16, 25 and 35 all recite a feature wherein the information release signal comprises a line feed character. It is conceded in the Office Action that Menard does not teach a line feed character as an information release signal. The Office Action contends, however, that the keyword searched for as described by Menard could be viewed as an information release, and that a line feed character could be the user-selected keyword.

Applicant respectfully disagrees with such an interpretation because using a line feed character as a keyword for searching in the context of Menard would serve no purpose, and

would not allow the Menard system to function properly. For example, the system of Menard would not be able to retrieve and archive information related to any relevant topics, Menard's stated purpose, if the keyword searched for was a line feed character. Therefore, it is not technically proper to equate the searched keyword of Menard with the information release signal, or, it follows, a line feed character serving as such, as claimed in the present application. The Office Action's characterization of the suggested obvious modification of Menard is untenable as such a modification not only renders Menard inoperative, but also fails to yield the invention as claimed. Accordingly, for this additional reason, applicant submits that claims 7, 16, 25 and 35 each are allowable over Menard. Accordingly, applicant respectfully requests that the rejections to claims 7, 16, 25 and 35 under 35 U.S.C. §103(a) be withdrawn.

#### **New Claims**

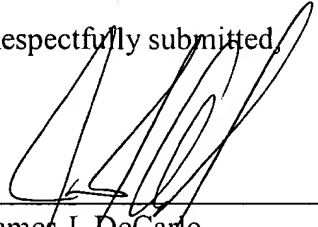
By this Amendment, applicant has added new independent claim 39 and claims 40 and 41 depending, either directly or indirectly, therefrom. Claims 39-41 are directed to a method of simultaneously displaying text information and video information over the Internet, and applicant submits that these new claims are patentable in view of the cited reference.

#### **CONCLUSION**

Accordingly, applicants respectfully submit that all of the claims presently in the application (i.e., 1-41) are in condition for allowance. If the examiner cannot issue an immediate Notice of Allowance, the Examiner is respectfully requested to contact the undersigned attorney to discuss outstanding issues.

Authority is hereby given to charge any additional needed fees to Deposit Account  
No. 19-4709.

Respectfully submitted,



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